

### **REMARKS**

This application has been reviewed in light of the Office Action dated July 25, 2007. Claims 1-20 are were pending in the present application. Claims 1, 2, 4, 6, 7, 9, 11, 12, 14, and 19 have been amended. Claims 3, 5, 8, and 15 have been cancelled.

Applicant notes with appreciation the courtesies extended by Examiner Hoffman during the telephonic interviews conducted on October 12 and 15, 2007. During the interviews, Examiner Hoffman and Applicants' Agent, Raymond Cappel, discussed the 35 U.S.C. §103 rejections of claims 1-20 in view of U.S. Patent No. 4,964, 162 (McAdam et al.). Agent Cappel convinced Examiner Hoffman that McAdam et al. was not applicable to the present invention (see below). In addition, Examiner Hoffman indicated that the non-cancelled claims would be allowable if independent claims 1, 11, and 12 were modified to include the limitations of original claims 3 and 5, namely, that each of claims 1, 11, and 12 were characterized by one or more parameters at least one of which is varied. Also, claims 6, 7, and 19, which do not have the latter limitations, were to be put in independent form. Applicants have herein amended the claims in accordance with the discussions during the interviews.

### **THE 35 U.S.C. §103(A) REJECTIONS**

In the Office Action, the Examiner rejected Claims 1-5, 10, and 11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,964,162 ("McAdam et al.") in view of U.S. Patent No. 5,680,454 ("Mead"). McAdam et al. describes a television signal encoding and decoding system in which certain individual lines of a television signal are line spin scrambled, reversed, inverted and then transmitted from a television transmitter. The signal is received by a

television receiver that includes a video decoder which applies line tilt compensation to the received line-spin scrambled video signal and then unscrambles the compensated scrambled video signal. In contrast, the present invention as claimed in amended claims 1, 11, and 12 is a method/system for distorting a recording of projected images of a movie projector without varying the frame frequency of the projector, by imposing an interference on the projected images at a frame rate frequency that renders the interference imperceptible to a human viewer, wherein a difference between the interference frame rate frequency and the recording frame frequency is perceptible to a human, the interference being characterized by at least one parameter which is varied, such as frequency or duty cycle. The present invention distorts an entire projected video signal without altering the source signal, while McAdam et al. alters individual lines of an television signal at its source and unscrambles that signal at its destination before being viewed by a viewer on a television.

Mead fails to correct the deficiencies of McAdam et al. Mead discloses a method and system for preventing unauthorized duplication of a projected image by a camcorder by introducing a pseudo-random noise sequence to vary the frame rate of the projected image at the projector. A human viewer cannot perceive the small variations in frame rate, but a camcorder will record a loss of vertical synchronization and the recorded image is thus unwatchable. Thus, a motion picture projector is operated precisely by directly varying the projector frame frequency, unlike the present invention which does not vary any parameters of the projector. Accordingly, McAdam et al. in combination with Mead fails to teach, or disclose each and every limitation of Claims 1 and 11. As such, the Applicants respectfully request that the §103(a) rejection of Claims 1 and 11, and claims dependent therefrom (i.e., Claims 2-5, and 10) be withdrawn.

In the Office Action, the Examiner rejected Claims 7, 8, 12, 13, 15, and 18 under 35 U.S.C. § 103(a) as being unpatentable over McAdam et al. in view of Mead and further in view of U.S. Patent No. 6,041,158 ("Sato"). Sato fails to correct the deficiencies of Mead and McAdam et al. Sato discloses a method for preventing an analog color video signal from being satisfactorily copied, in which a copy protection signal is formed of a phase-shifted color burst signal of predetermined duration and is inserted into a predetermined location of the color burst signal of an analog video signal in analog video recording equipment. The device disclosed in Sato is operating directly on the video signal at the video recording equipment, not on the video projected onto a screen. Accordingly, the proposed combination of McAdam et al., Mead, and Sato fails to teach or disclose each and every element of Claims 1, from which Claims 7 and 8 depend, and claim 12, from which 13 and 18 depend (claim 15 being cancelled). As such, the Applicants respectfully request that the §103(a) rejection of Claims 7, 8, 12, 13, and 18 be withdrawn.

In the Office Action, the Examiner rejected Claims 9, 16, 17 and 20 under 35 U.S.C. § 103(a) as being unpatentable over McAdam et al. in view of Mead in view of Sato and further in view of U.S. Patent No. 5,394,274 ("Kahn"). Kahn fails to correct the deficiencies of McAdam, Mead, and Sato. Kahn discloses a system for preventing the unauthorized copying of audio or video recordings by processing the recorded material so as to identify the protected material in a manner that does not audibly distort the program material, and processing the recorded material by a second method that produces audible artifacts. The audible artifacts are defined as undesired sounds that are not part of the desired program material. The artifacts are introduced directly into the protected recordings. Kahn is introducing an audio signal into the recording made by recording equipment, rather than introducing video artifacts into a projected video

signal onto a screen as in any of claims 6, 9, 19, and 20. Accordingly, the proposed combination of McAdam et al., Mead, Sato, and Kahn fail to teach or disclose each and every element of Claims 6, 9, 19, and 20. As such, the Applicants respectfully request that the §103(a) rejection of Claims 6, 9, 19, and 20 be withdrawn.


In light of the remarks herein, all rejections are believed to have been obviated. Accordingly, Applicants respectfully submit that the non-cancelled claims of the present invention (Claims 1, 2, 4, 6, 7, 9-14, and 16-20) are in condition for allowance.

### **CONCLUSION**

No fee is believed to be due in connection with the present Amendment. If, however, other fees are deemed necessary for this Amendment to be entered and considered by the Examiner, then the Commissioner is authorized to charge such fee to Deposit Account No. 501358. Applicant's undersigned agent may be reached by telephone at (973) 597-2500. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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